

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and the discussion below.

Claim 7 has been objected to with respect to the expression "mechanical angle" which has been deleted.

Claims 5, 7, 9, 13 and 17 have been rejected under 35 U.S.C. 112, first paragraph, because the best mode contemplated by the inventor has not been disclosed. It is indicated that the evidence of concealment is based upon the reference to Tadahiro, the English abstract of Tadahiro, Applicants comments and the claim. According to the statement of the rejection "the best mode has been concealed in that with no distinguishing structural difference between Applicants claimed and disclosed motor structure and that taught by Tadahiro, Applicants' motor structure is capable of an operation (i.e., bi-directional rotation) which Tadahiro is not".

Applicants traverse this rejection on the grounds that the best mode contemplated by an inventor at the time of the invention is unknown unless evidence by the inventor's own action or disclosed in the specification and indicating as the best mode. The inventor would have to have a best mode and not disclose it in the specification.

Applicants submit that there is no evidence that there “was a best mode known by the inventor” and that this “known best mode was missing from the filed application”.

Applicants submit that the reference to Tadahiro, plays no role in the determination of either a best mode or an indication of concealment. There is no evidence that there is some “best mode of operation” which is not disclosed in the specification. Prior art does not provide evidence of a best mode of another application. Additionally, if, as indicated by the rejection, Applicants structure is capable of an operation which Tadahiro is not, this provides no evidence that something was concealed.

Additionally, it is submitted that Applicants had previously argued that the reference to Tadahiro has a teaching for “especially a rotor suitable in one direction rotation”. Therefore it may be theoretically possible that Tadahiro can be reversed rotated but that was not the teaching to one of ordinary skill in the art based on the combination of references for a 35 U.S.C. 103 rejection which has, as indicated in the present Office Action, been overcome.

Therefore, Applicants respectfully request that this application containing claims 5, 7, 9, 13 and 17 be allowed and be passed to issue.

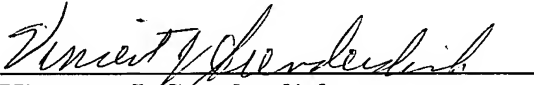
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056203.49196DV).

Respectfully submitted,

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Vincent J. Sunderdick
Registration No. 29,004

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

VJS:adb